

# EXHIBIT “A”

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

-----X  
BOZENA MOLYN,

Plaintiff,

-against-

THE HOME DEPOT USA, INC.,

Defendant.  
-----X

Index No.:

Date Purchased:

**SUMMONS**

Plaintiffs designate **KINGS**  
**County** as the place of trial.

The basis of venue is: location  
of accident.

**To the above-named Defendant:**

**You are hereby summoned** to answer the complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the Plaintiffs' attorneys within twenty days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or, within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Brooklyn, New York  
April 21, 2021

*Pawel Szymanski*

\_\_\_\_\_  
Pawel Szymanski, Esq.

GREEN & SZYMANSKI, LLP

195 Montague Street, 14<sup>th</sup> Street

Brooklyn, NY 11201

(718) 872-9292

TO: THE HOME DEPOT USA, INC., via Secretary of State

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

-----X  
BOZENA MOLYN,

Plaintiff,

Index No.:

-against-

**COMPLAINT**

THE HOME DEPOT USA, INC.,

Defendants.  
-----X

Plaintiff, BOZENA MOLYN, by her attorney, GREEN & SZYMANSKI, LLP,  
complaining of the defendant, THE HOME DEPOT USA, INC., upon information and belief:

**THE PARTIES**

1. The plaintiff, BOZENA MOLYN, is a resident of the State of New York, County of Kings.
2. That at all times herein mentioned, Defendant, THE HOME DEPOT USA, INC. is and has been a domestic corporation duly organized and existing under and by virtue of the laws of the State of New York.
3. That at all times herein mentioned, the Defendant THE HOME DEPOT USA, INC., is and has been a foreign corporation, duly authorized to do business in the State of New York.
4. That at all times herein mentioned, Defendant THE HOME DEPOT USA, INC., maintained a principal place of business in the County of Kings, in the City and State of New York.
5. That this action is being commenced within the time allowed by law.

**THE UNDERLYING FACTS**

6. That at all times herein mentioned, the Defendant, THE HOME DEPOT USA, INC., owned the premises, and appurtenances, fixtures thereto located at 579 Gateway Drive, Brooklyn, NY 11239 (“hereinafter the premises”).

7. That at all times herein mentioned, the Defendant, THE HOME DEPOT USA, INC. operated the premises located at 579 Gateway Drive, Brooklyn, NY 11239.

8. That at all times herein mentioned, the Defendant, THE HOME DEPOT USA, INC. managed the premises located at 579 Gateway Drive, Brooklyn, NY 11239.

9. That at all times herein mentioned, the Defendant THE HOME DEPOT USA, INC. controlled the premises located at 579 Gateway Drive, Brooklyn, NY 11239.

10. That at all times herein mentioned, the Defendant, THE HOME DEPOT USA, INC. maintained the premises located at 579 Gateway Drive, Brooklyn, NY 11239.

11. That at all times herein mentioned, the Defendant, THE HOME DEPOT USA, INC. repaired the premises at 579 Gateway Drive, Brooklyn, NY 11239.

12. On April 16, 2020, and at all times herein mentioned Plaintiff, BOZENA MOLYN was a lawfully upon the aforesaid premises located at 579 Gateway Drive, Brooklyn, NY 11239.

13. On April 16, 2020, and at all times herein mentioned, while Plaintiff BOZENA MOLYN was lawfully about the aforesaid premises, she was caused to sustain serious and permanent injuries as a result of a dangerous and defective condition of premises.

14. That the above-mentioned occurrence, and the results thereof, were caused by the carelessness and negligence of the defendant, THE HOME DEPOT USA, INC., and/or said

Defendant's agents, servants, employees and/or licensees in the ownership, operation, management, supervision, maintenance and control of the aforesaid premises.

15. Among other things, defendant, through its agents, servants, and or employees, was careless and negligent in its ownership, operation, control, care, custody, charge, supervision, management, repair and maintenance of the aforesaid premises; in causing, creating, permitting, and or allowing a dangerous, hazardous, defective, and unsafe condition upon said premises; in failing to undertake proper and/or adequate safety studies, surveys or inspections; in failing to provide plaintiff with reasonably safe condition on the subject premises; in failing to properly operate the aforementioned premises; in negligently causing plaintiff to be injured while she was lawfully at the subject premises; in failing to repair dangerous condition of the premises prior to the accident, despite prior notice of the same, including; in failing to avoid the aforesaid accident which was foreseeable; and the defendant was otherwise reckless, careless and negligent.

16. As a result of the defendant's carelessness and negligence, the plaintiff was caused to suffer severe and permanent personal injuries; plaintiff required medical care and attention; plaintiff was required to undergo x-rays, MRI and/or CT scans, as well as other medical care and treatment; plaintiff sustained severe pain and suffering; upon information and belief, plaintiff will require future medical care and attention; plaintiff has been unable to attend to her work and/or usual duties; plaintiff has become substantially disabled; plaintiff has been otherwise damaged; all of which damages are permanent in nature and continuing into the future.

17. That no negligence on the part of the Plaintiff contributed to the occurrence alleged herein in any manner whatsoever.

18. That by reason of the foregoing, Plaintiff, BOZENA MOLYN, has been damaged in a substantial amount to be determined by the Supreme Court of the State of New York which amount exceeds the jurisdictional limits of all lower courts which might otherwise have jurisdiction thereof.

**WHEREFORE**, the plaintiff demands judgment against the defendant in a substantial amount to be determined by the Supreme Court of the State of New York which amount exceeds the jurisdictional limits of all lower courts, which might otherwise have jurisdiction thereof.

Dated: Brooklyn, New York  
April 21, 2021

Yours,

Pawel Szymanski  
Pawel Szymanski, Esq.  
GREEN & SZYMANSKI, LLP  
195 Montague Street, 14<sup>th</sup> Floor  
Brooklyn, NY 11201  
(718) 872-9292

***GREEN & SZYMANSKI, LLP***

---

Index No.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

---

BOZENA MOLYN,

Plaintiff,

-against-

THE HOME DEPOT USA, INC.,

Defendant.

---

**SUMMONS and COMPLAINT**

---

**GREEN & SZYMANSKI, LLP.**  
***Attorneys for Plaintiff***  
***195 Montague Street, 14<sup>th</sup> Floor***  
**Brooklyn, New York 11201**  
**(718) 872-9292**

---